

CITY OF ANGELS CITY COUNCIL MINUTES

Tuesday, November 3, 2009

Council Members Present: Jack Lynch (Mayor), Jack Boeding, (Vice Mayor), Elaine Morris and Craig Turco

Staff Present: Richard Matranga, Gary Ghio, Dale Mendenhall, Melisa Ralston, David Hanham and Mary Kelly

5:00 PM WORKSHOP

Chief Plant Operator Carol Woolf and City Engineer Gary Ghio provided a presentation explaining the Wastewater Treatment Plant Phase III Improvement Project and two financing options available. The City Attorney explained the State Water Resources Board ratification requirement regarding wastewater rates passed and adopted by the City Council on June 20, 2006.

6:00p.m. CALL TO ORDER

REGULAR MEETING

APPROVAL OF AGENDA

Agenda was approved by consensus

STAFF UPDATES

Gary Ghio – City Engineer

- Submitted waiver to USEPA for UV system “Buy American” requirement.
- Murphys Grade Waterline project completed. Will be bringing notice of completion for approval to Council on November 17th.

Dale Mendenhall – Police Chief

- Reviewed report included in packet.

Dave Hanham – Planning Director

- Housing element language being worked on. Will take to Planning Commission in December.
- Master Plan RFP will be going out this week.
- Large format draft to be reviewed by Planning Commission. Will be coming to Council for review after the first of the year.
- Meeting with LAFCO regarding sphere of influence to be scheduled.
- Received 5 qualified applicants for the façade grant.
- Caltrans is reviewing the sign plan.

COUNCIL UPDATES

Councilmember Boeding

- Attended LAFCO conference in Yosemite.
- 2012 is the City’s centennial. There is a beginning of public interest and he feels City of Angels should be involved.

Councilmember Morris

- Attended UPA and will be attending CCOG, LLD and Traffic Circulation.
- Will be attending CCOG on 10/7.

Councilmember Turco

- Personnel/Finance: Youth from BHHS spoke on tobacco use and sales within City. They have requested actions for the City to follow. Council members Boeding and Turco will be meeting with the P.D. to discuss; discussed contractors City uses for on call projects and emergencies. Mary will review the contractors currently called and compare prices; grants were discussed. Melisa provided a listing of 10 current grants; met with a business owner regarding water rate issues. Will be researching rate issues.

Mayor Lynch

- Reported on the good turn out from the public for protection of the trees being considered for removal at Cal Fire.

PUBLIC COMMENT

Steve Difu – 576 Sasa

Asked for an explanation of the two Council negative votes for an item presented on October 22nd that dealt with bidding procedure when the bidding ordinance was adopted September 15th. Reported the Council looked dysfunctional by ignoring the adopted ordinance.

Direction: City Attorney to respond.

Ray Behrbaum – UPA Director

Reported that an agreement was reached between UPA and CCWD on water negotiations. He thanked Randy Lagomarsino and the late Paul Raggio for their commitment and constant work on this issue. Mayor Lynch stated that this is a momentous occasion and spoke on the efforts made by the late Paul Raggio.

CONSENT AGENDA

MOTION by Council Member Turco, seconded by Council Member Boeding and carried 4-0 to adopt the consent agenda:

- a. Minutes of Regular meeting – October 20, 2009 with corrections on item #7 and item #3.
- b. **MOTION** to pay bills

REGULAR MEETING

1. **LETTER OF SUPPORT FOR LOSS OF HISTORICAL TREES** – Tim Folendorf
MOTION by Council Member Turco, seconded by Council Member Morris and carried 4-0
APPROVING SENDING A LETTER TO THE GOVERNOR, AND CAL FIRE CHIEF IN SUPPORT OF HISTORICAL TREE PROTECTION AT CAL FIRE IN ANGELS CAMP
2. **APPROVAL OF CONTRACT FOR WASTEWATER PHASE III IMPROVEMENT PROJECT, GEO-TECHNICAL SERVICES** – Gary Ghio, City Engineer
MOTION by Council Member Boeding, seconded by Council Member Morris and carried 4-0
APPROVING CONTRACT WITH KLEINFELDER FOR SERVICES ON THE WASTEWATER PHASE III IMPROVEMENT PROJECT
3. **AMENDMENT TO WATER DRILLING ORDINANCE** – Dave Hanham, Planning Director
The Planning Director explained he was directed by the Council to amend the Water Drilling ordinance due to a citizen's request to drill a well in the City limits. There was no specific criteria for this in the current ordinance and he provided an amended agenda with size limitations, etc. The Council voiced several concerns with the amended ordinance, including not addressing what happens if the well goes bad, and grandfathering in wells already existing. Planning Commissioner Chair Croletto reported he had just received a GIS report which showed there are currently 15 wells within the City. He suggested this be researched.
John Teichnor – 1311 Main Street
Encouraged the Council to continue with the process and do a follow up as needed for each well requested. Asked that they not back away when a new idea is brought forward. Resources need to be identified to see what can be used and what cannot.

John Broeder – 1860 Finnegan Lane

Cautioned the Council against prohibiting ideas and suggested writing a general ordinance for a case-by-case basis.

Council Member Turco suggested keeping the current ordinance as is with an addition of *obtaining a Conditional Use Permit*...

The Council directed staff to amend the current Well Drilling Ordinance by adding language for obtaining a Conditional use Permit. The amended Ordinance provided in the packet not to be used.

Direction: Planning staff research GIS report regarding current wells in city limits.

Direction: Provide amended Ordinance with addition of simplified language: obtaining a Conditional Use Permit

4. **APPLICATION REQUEST TO DRILL WELL WITHIN CITY LIMITS (continued from 9/1/09 CC meeting)** – Dave Hanham, Planning Director

John Teichnor – 1311 Main Street

Asked there be a yes or no decision made on his application.

MOTION by Mayor Lynch, seconded by Council Member Morris and carried 3-1 with Council Member Turco voting 'NO' TO CONTINUE ITEMS #4 AND #5 REGARDING APPLICATION REQUESTS FROM JOHN TEICHNOR AND ROBERT & BRENDA EASTMAN TO DRILL WELLS WITHIN CITY LIMITS. CONTINUED UNTIL DRILL WELL ORDINANCE IS AMENDED AND ADOPTED.

Council Member Boeding asked Mr. Teichnor if this continuation was alright with him because of his request for a final answer on his well application. Mr. Teichnor said the continuance was okay.

Direction: Continue to future Council meeting.

5. **APPLICATION REQUEST TO DRILL WELL WITHIN CITY LIMITS** – Robert & Brenda Eastman

See above continuance motion on this item.

Direction: Continue to future Council meeting.

6. **RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF ANGELS AND THE DEPARTMENT OF FORESTRY & FIRE PROTECTION** – Greg Petersen, Deputy Fire Chief

MOTION by Council member Boeding, seconded by Council Member Turco and carried 4-0 ADOPTING RESOLUTION NO. 09-44. A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF ANGELS AND THE DEPARTMENT OF FORESTRY & FIRE PROTECTION FOR THE VOLUNTEER FIRE ASSISTANCE PROGRAM OF THE COOPERATIVE FORESTRY ASSISTANCE ACT OF 1978

7. **APPORTIONMENT OF BENEFITS TO STREETS WITHIN THE BOUNDARIES OF THE CITY'S LANDSCAPE AND LIGHTING DISTRICT** – Gary Coletto, Chair-LLD

MOTION by Council Member Turco, seconded by Council Member Morris and carried 4-0 ACCEPTING THE LLD ENGINEER'S LETTER/REPORT REGARDING APPORTIONMENT OF BENEFITS TO STREETS WITHIN THE BOUNDARIES OF THE CITY'S LANDSCAPE AND LIGHTING DISTRICT

Roll Call: Morris {Yes}, Boeding {Yes}, Turco {Yes} and Lynch {Yes}

8. **PUBLIC HEARING: ADOPT ORDINANCE #440 AMENDING CHAPTER 15.12 OF THE ANGELS CAMP MUNICIPAL CODE** – Dave Hanham, Planning Director

8:06 **Public Hearing Opened**

Mayor Lynch asked if there were any public comments regarding this item. There being none, the public hearing was closed.

8:06 Public Hearing Closed

MOTION by Councilmember Boeding, seconded by Councilmember Turco and carried 4-0
ADOPTING ORDINANCE #440 - AMENDING CHAPTER 15.12, SIGNS AND BILLBOARDS;
SECTION 15.12.020, DEFINITIONS OF THE CITY OF ANGELS MUNICIPAL CODE
(INTRODUCED OCTOBER 6, 2009)

9. **PRIORITIES OF CIRCULATION ELEMENT FOR IMPLEMENTATION MEASURES** – Dave
Hanham, Planning Director

MOTION by Council Member Morris, seconded by Council Member Boeding and carried 4-0
APPROVING THE PRIORITY LIST FOR CIRCULATION ELEMENT AS RECOMMENDED BY
THE TRAFFIC/CIRCULATION COMMITTEE AND DIRECTING STAFF TO FOLLOW THROUGH
WITH THIS ITEM

10. **AGREEMENT TO PROVIDE FINANCIAL SERVICES TO LAFCO** – Melisa Ralston, Finance
Officer

MOTION by Council Member Boeding, seconded by Council Member Lynch and carried 4-0
APPROVING THE AGREEMENT BETWEEN THE CITY OF ANGELS AND THE LOCAL
AGENCY FORMATION COMMISSION (LAFCO) OF CALAVERAS COUNTY FOR CITY
FINANCE SERVICES (AS AMENDED)

MEETING ADJOURNED AT 8:20 P.M.

ATTEST:

Jack Lynch
Mayor

Mary Kelly
City Clerk